

REMARKS

Claims 1, 8 and 9 have been amended. Claims 2, 3 and 10 have been canceled. Attached as an APPENDIX is another version of the rewritten claims, marked up to show all the changes relative to the previous version of the claims. Upon entry of the amendments, claims 1, 4-9, 11 and 12 remain pending in this application.

Claims 1 and 8 stand rejected under 35 USC 102(b) as being anticipated by Johnson (US 3,799,039). Claims 2, 3 and 9-10 stand rejected under 35 USC 103 as being unpatentable over Johnson in view of Ratzel (US 5,713,825). Claims 4 and 11-12 stand rejected under 35 USC 102(b) as being anticipated by Simmons (US 5,569,146). Claims 5-7 stand rejected under 35 USC 103 as being unpatentable over Simmons in view of Huston (US 5,213,867).

Independent claims 1 and 8

The Examiner refers to the separator bars 26, 28 30 in Johnson as constituting "constant entry guide rollers/rods." It is noted that separator bars and constant entry guides are separate components in the present patent application. As is set forth in the Applicants' specification:

After passage from the damper roller, the plies P_1 and P_2 of the stock material 22 are separated for passage to respective constant entry rollers 43 and 44 as best seen in Fig. 3, which rollers serve as constant entry guides for the respective plies. After passage over the constant entry rollers, the plies P_1 and P_2 pass between or around separators 45-47.

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See Specification, page 7, lines 6-16.

Independent claim 1 has been amended to include a damper member and separator bars, and to define the relationship of the constant entry guides and the separators of the present invention. In particular, claim 1 now recites a stock supply assembly which includes a damper member at an upstream end of the machine, first and second constant entry guides disposed between the damper member and the conversion assembly, and a plurality of separators between the constant entry guides and the conversion assembly. The multi-ply stock material is trained over the damper member. First and second respective plies of the multi-ply stock material are passed over the respective first and second constant entry guides. The damper member and the first and second constant entry guides define first and second paths which the first and second plies follow before passing over the respective first and second constant entry guides. The plies pass between or around the separators before passage to the conversion assembly. Support for the amendment may be found, for example, at page 7, line 17 to page 8, line 3, and in Figs. 1 and 3.

Independent claim 8 also has been amended. Claim 8 now recites a method of converting multi-ply sheet stock material into a cushioning dunnage, comprising, *inter alia*, at least two plies of the stock material being guided along different paths and passed over respective different constant entry rollers upstream of conversion components that convert the stock material into a strip of cushioning, wherein the plies

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pass between or around a plurality of separators between the constant entry guides and the conversion components. Support for the amendment may be found, for example, at page 7, line 17 to page 8, line 3, and in Figs. 1 and 3.

Passing the first and second plies over their own respective constant entry rollers affords advantages over the prior art. Applicants' specification provides:

The passage of the plies over respective constant entry rollers eliminates a problem that has been encountered in known conversion machines where the multiple plies are passed over a single constant entry roller and then separated for passage between or around separators. The frictional grip between the plies and the constant entry rollers aids in preventing overrunning problems. In some situations where the superimposed plies are passed over a single constant entry roller, the outermost ply may slip relative to the innermost ply, thereby allowing the outer ply to unwind and negating the retarding effect that the constant entry roller desirably has on the plies. This is avoided by passing the plies over their own respective constant entry roller after separation.

See Specification, page 7, lines 17-26.

Johnson and Ratzel, whether viewed singularly or in combination, fail to disclose, teach or suggest first and constant entry guides, much less first and second paths formed by the constant entry guides which the first and second plies of the multi-ply stock material follow.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 1 be withdrawn and that the claim be allowed. For similar reasons, it is

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respectfully requested that the rejection of claim 8, as well as dependent claim 9, be withdrawn and that these claims be allowed.

Independent claims 4 and 11

Independent claims 4 and 11 recite a conversion machine and method for converting stock material into a strip of dunnage and severing the strip of dunnage into cushioning pads. More specifically, claim 4 recites, *inter alia*, a conversion machine including a conversion assembly which draws the stock material from a stock supply, and a severing assembly which includes a moving blade mounted for movement across a strip path between a retracted position and an extended position for cutting the strip. The severing assembly further includes a shutter movable with the moving blade for substantially blocking the strip path when the moving blade is in its extended position. Claim 11 recites a conversion method, comprising, *inter alia*, cutting a strip of cushioning using a moving blade to cut the strip of cushioning, wherein a shutter is moved in trailing relation to the moving blade to prevent movement of a cut end of the strip from moving behind the moving blade as the moving blade slices through the strip of cushioning.

Figs. 4-7 illustrate an embodiment of the present invention and show the moving blade 72 moving from a retracted position (Figs. 4 and 6) to an extended position (Figs. 5 and 7) to cut a strip of cushioning, and a shutter 85 movable with the blade 72 to

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substantially block the path of the strip of cushioning, for example, by spanning the outlet opening 65. See Specification, page 11, line 23 to page 12, line 7.

Simmons clearly does not disclose the claimed shutter. This is demonstrated by a comparison of Figs. 4 and 5 of the present invention and Figs. 3 and 4 of Simmons. As is shown in Fig. 4 of Simmons, the cutting blade when in its extended full-cut position is almost substantially clear of the outlet opening. As Applicants' specification points out, heretofore this sometimes presented problems:

Heretofore, this allowed the cut end of the continuous dunnage strip 88 sometimes to move behind the moving blade after it has passed by and then interfere with the return stroke of the moving blade. Such movement of the cut end of the dunnage strip may arise from relaxation of the dunnage strip 88 particularly along the longitudinal axis of the dunnage strip.

See Specification, page 11, line 30 to page 12, line 5. The claimed shutter addresses this problem:

The shutter functions to block such movement of the cut end behind the dunnage strip, thereby to permit unrestricted return movement of the moving blade to its rest position.

See Specification, page 11, line 30 to page 12, line 5.

For at least the foregoing reasons, it is respectfully requested that the rejections of claims 4 and 11, and claims 5-7 and 12 which depend respectively therefrom, be withdrawn and that these claims be allowed.

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It is further noted that the Examiner's proposed combination of Simmons and Huston does not render claims 5-7 obvious for several reasons. First, it is not seen where in the references there is any motivation for the combination being advanced. The cutter referred to in Huston is not directed to the above noted problem of a relaxed portion of a strip of cushioning interfering with a return stroke of a moving blade. Moreover, Huston does not teach or suggest a shutter having "an upstream surface flush with an upstream surface of the moving blade" (claim 5) but rather discloses a shaft 37 which is wider than the blade 40 and which at its forward end bends a tab into the strip of material 10B. Such tab appears to teach away from the present invention to the extent the present invention seeks to avoid obstructing the return stroke of the blade. Also, the Examiner refers to reference numeral 38 as teaching a "blade holder" (claim 6). Reference numeral 38 is a base of a head portion 32 which has a passage in which the shaft 37 (and accordingly the blade 40) slidably move. It is not seen how such base can function as a blade holder if it is enabling the blade to move within it.

For these additional reasons, the inventions of claims 5 and 6, and claim 7 which depends from claim 6, are patentably distinguishable over the applied art. Accordingly, for these reasons and the reasons set forth above, it is respectfully requested that the rejections of claims 5-7 be withdrawn and that these claims be allowed.

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Conclusion

In view of the foregoing, the present application is believed to be in condition for allowance and an early indication to that effect is earnestly solicited.

Should a petition for an Extension of Time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary) petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988, Order No. RANPP0305USA.

Respectfully submitted,

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APPENDIX

What is claimed is:

1. (Amended) A cushioning conversion machine for converting multi-ply sheet stock material into a cushioning dunnage product, comprising a stock supply assembly which supplies stock material to be converted, and a conversion assembly which draws the stock material from the stock supply and converts the stock material into a strip of cushioning, wherein the stock supply assembly includes a damper member at an upstream end of the machine over which the multi-ply stock material is trained, first and second [a plurality of] constant entry guides disposed between the damper member and the conversion assembly [at an upstream end of the machine] for passage of first and second respective plies of the multi-ply stock material thereover, wherein the damper member and the first and second constant entry guides define first and second paths which the first and second plies follow before passing over the respective first and second constant entry guides, and a plurality of separators between the constant entry guides and the conversion assembly between or around which the plies pass before passage to the conversion assembly.

8. (Amended) A method of converting multi-ply sheet stock material into a cushioning dunnage, comprising drawing the stock material from a stock supply and converting the stock material into a strip of cushioning, wherein at least two plies of the stock material are guided along different paths and passed over respective different constant entry rollers upstream of conversion components that convert the stock material into a strip of cushioning, and wherein the plies pass between or around a plurality of separators between the constant entry guides and the conversion components.

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9. (Amended) A conversion method as set forth in claim 8, wherein the multi-ply stock material is passed [passes] over a biased damper before passage to the constant entry guides.

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